

Meeting Minutes

Plan & Zoning Commission Meeting

Tuesday, February 3, 2015

Ankeny City Hall – City Council Chambers

410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The February 3, 2015 meeting of the Plan & Zoning Commission was called to order at 6:30 pm by Chairman L. West.

ROLL CALL

Members present: T. Flack, D. Fliger, P. Mollenhauer, S. Odson, T. Ripper, L. Voigt, L. West. Absent: G. Hunter. Staff present: E. Jensen, E. Carstens, E. Bodeker, J. Gould, T. Kuhn.

AMENDMENTS TO THE AGENDA

Motion by T. Flack to accept the agenda as submitted. Second by T. Ripper. All voted aye. Motion carried 7 – 0.

COMMUNICATIONS

Staff advised the Commission that correspondence received will be part of the public hearing.

CITIZEN'S REQUEST

There were no requests.

CONSENT AGENDA ITEMS

Item #1. Minutes

Motion to approve and accept the January 20, 2015 minutes of the Plan & Zoning Commission meeting.

Motion by D. Fliger to approve the recommendations for Consent Agenda Items #1. Second by L. Voigt. All voted aye. Motion carried 7 – 0.

PUBLIC HEARINGS

Item #2. Deer Creek Estates LLC / Ron Fix request to rezone property from R-1 (One-Family Residence district) to PUD (Planned Unit Development).

Chairman L. West opened the public hearing and directed the Commission to correspondence received from Steve and Diane Pennington, 9421 NE 28th Court.

Staff Report: J. Gould presented an aerial map and reported that Deer Creek Estates LLC and Ron Fix are requesting to rezone 375 acres located on the north side of E 1st Street/NE 94th Street (County), west of NE 38th Street (County) and south of NE 18th Street. In the Comprehensive Plan, the area is identified as a community commercial mixed use node. An amendment to the Land Use Plan Map in 2007 identified a layout with a mixture of low density & medium density residential, MU-1 and MU-2. In 2010, the Ankeny Comprehensive Plan and land use map were approved with the same configuration. The PUD document describes a mix of lots that range from single family residential detached, multi-family townhomes and/or condominiums, a mix of commercial uses and a plan to preserve greenway and natural woodlands and other natural amenities. The proposed breakdown matches the approved land use plan. The PUD describes smaller neighborhoods, each with their own identify all of which are described in the bulk regulations and character section of the PUD book. Each

section as it develops will require a preliminary plat which will address street layout, traffic generation and utilities, followed by final plats and in some cases site plan approval. Access points into the development will be along E 1st Street and NE 38th Street. NE Four Mile Drive is planned to make the connection to the north, with a portion of the road has already constructed off of NE 18th Street. Describing some of the uses, low density residential translates to residential zoning of R-1, sometimes R-2 with a density of 3.5 to 4 units per acre. The medium density area allows 6 to 10 units per acre with an average density of 8 units per acre and typically translates to R-3 zoning. MU-1 is typically neighborhood commercial serving 10,000 to 20,000 people with a one mile radius typically C-1. The MU-2 a larger commercial area providing more of a community commercial function typically translates to C-2 zoning. The PUD will be served by water mains along 1st Street, NE 38th and NE 18th and likely along NE Four Mile Drive as it develops. Sanitary sewer will connect from truck sewer along Deer Creek and laterals will be extended along the streets interior to the site. An Existing Conditions Map identifies drainage; any detention facilities needed will be privately owned and maintained. The PUD document includes a breakdown of land uses approved in the 2007 plan and the current PUD, there is more low density residential and less commercial in the PUD than shown in the 2007 plan. The owner and developer have submitted the required rezoning petition and signatures.

Jeff Grubb, 160 Adventureland Drive NW, Altoona, said the request by Ron Fix and Deer Creek Estates is to rezone 375 acres located 1½ miles east of Interstate 35, north of 1st Street and west of NE 38th Street from R-1 to PUD. The process has been very involved spanning many years and at this time they are asking for entitlement, the opportunity and right to further plan the property. In 2007 40% of the property was designated at Low Density Residential; the 2015 plan shows 49% as LDR. Medium Density Residential has remained the same at 18% of the overall site. M-1, office and neighborhood commercial has been reduced from 16% in the 2007 plan to 13% in the current plan. M-2, Highway Orientated Residential has decreased from 12% in 2007 to 7% in this plan. Throughout the process of developing Deer Creek, they have listened to the community, the adjustments they have made are based on the market and comments they have received over the years. There has been careful planning of the uses, drainage within the areas and management of common areas within the development.

Brad Kuehl, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes stated that the parcels are consistent with the Comprehensive Plan. Each area has been identified with a parcel letter that corresponds with the bulk regulations in the PUD document, mostly larger lots on the north side, with a central plaza area and small village areas providing services to this side of the Interstate. Medium density residential is located on the perimeter with smaller single family lots along NE 38th and E 1st Street. The higher density commercial is shown along E 1st Street and on either side of NE Four Mile Drive. Four Mile Drive / NE 29th will shift to the east, away from the county residents and will eventually realign with NE 29th to the south. Alternates are proposed in the bulk regulations to provide some flexibility in the event that development does not occur as expected. For the most part they are downgrades to lower density residential from multi-family or commercial. Mr. Kuehl presented drawings from the PUD book illustrating the character of the development, each area having a specific aesthetic look. He referenced the Existing Conditions drawing identifying soil types and drainage patterns showing drainage into Deer Creek, an area that is not included in the PUD, preserved with the goal of having the City take the area as a greenbelt. Drainage will be managed on site with traditional detention cells meeting all of the requirements for storm water management on their site. He added that a recent Four Mile / Deer Creek study and the Comprehensive Plan identified the area as possible regional detention. A schematic showing how the main sanitary and water lines would run through the

property was presented. A 16-inch water main is proposed in the CIP for 2016 construction to Deer Creek along E 1st Street, a 12-inch would continue along Four Mile Drive to connect into the 12-inch that will be along NE 18th Street. Sanitary trunk sewer will be extended across Deer Creek to serve the neighborhood. Mr Kuehl stated that traffic is a concern on E 1st Street and as development occurs, traffic studies will be done.

Jeff Grubb stated that notification of all property owners within 250-feet of the area to be rezoned is required and explained that he personally wrote letters to all of the owners providing his contact information and offering to meet with them to explain the project, several of which he did meet with. Additionally, he met with Rebecca Holdridge on two occasions to present the plan. Mr.Grubb said he is personally involved in Deer Creek on a daily basis and has a sincere interest in the success of the development. He reiterated the importance getting entitlement to formalize the plan that has been in place for some time.

Rosemarie Waskel, Terrus Real Estate Group, 100 Court Ave. Suite 100, Des Moines, association manager for Deer Creek Estates, stated that this PUD will be completely separate from the master association of the existing Deer Creek Estates. She envisions this area to have a master association and sub-associations whose dues will cover only elements that they benefit from such as common parking lots in commercial area. A single management company ensures the overall good and development of the entire project.

P.Mollenhauer asked how many names were on the rezoning petition. Mr Kuehl responded that there were 11 property owners.

D.Fliger asked what the estimated time will be for buildout and what the infrastructure challenges are. Mr.Grubb responded that it's a large project, it will take a couple of years just to get infrastructure in place; sanitary sewer has been planned for and the city is determining water main sizing to accommodate future growth. Traffic studies will be completed as development is planned.

Rebecca Holdridge, 2533 NE 98th Place, Ankeny reported that she met with Mr.Grubb on two occasions regarding this plan, she believes there are big concerns with it including transportation from I-35, infrastructure costs, drainage to Four Mile Creek, additional police and fire, bus transportation and the burden on the school system. She questions if the existing detention system works because there is still flooding. She said she is not against development, but lower density would be better off of 1st Street.

Beryl Coulson, 9105 NE 56 Street, stated that he owns a farm just south of the proposed development and a lot of the Deer Creek land drains across E 1st Street and ends up in a creek that runs diagonally across his land. He said he cannot have any more water running into the creek and he questioned where the storm sewers are going to go. He believes multi-family and commercial would be better placed elsewhere – there is no safe way to access the area. He believes it's unreasonable to terminate NE Four Mile Drive at E 1st Street, adding that it is difficult now to turn onto E 1st Street coming up 29th Street from the south.

Bob Hood, 2639 NE 96th Avenue, said that all he is asking is that the Commission follow the Comprehensive Plan which suggests a northern growth scenerio to support investment in the new high school site and build off of existing city infrastructure investments. He said that traffic is already a mess in this area. He believes that allowing multi-family housing development would be a severe blow to the tranquil, one-of-a-kind Greenwood Acres neighborhood. He asked that the Comp Plan be followed and growth should be to the north.

Theresa Agey, 1317 NE Williamsburg Drive said that infrastructure is not there for another 300 acre development adding that, when they purchased, they were shown plans with walking trails, amphitheaters and parks which have not been built. She believes a huge development off of a 2-lane highway is a disaster, 1st Street cannot handle the traffic.

Donna Adams, 9636 NE Frisk Drive said she has been a resident for 5 years and has seen big changes. The traffic is a problem and drainage into Deer Creek remains a concern.

Brad Coulson, 8592 NE 56th Street, Bondurant said he co-owns and farms with his father just south of the proposed development. His concern is the realignment of 29th Street and the extension of Four Mile Drive shown to cross private property. He is opposed to altering 29th Street to align with the future Four Mile Drive shown on the Plan. He added that there already is a significant amount of water that drains almost from Enterprise to the creek on his property and into Four Mile Creek.

Tim Payne, 1226 NE Cold Harbor Drive, said the issues of drainage and traffic need to be addressed as well as busing and schools.

John Boehm, 9678 NE 26th Court, said that a detention pond was constructed with the Deer Creek development on the north side of his property and a portion of his property, which is intersected by the creek, has become a lower detention basin during rain events adding that the east edge of his property has fallen into the creek and the culvert at Frisk Drive cannot accommodate a large rainfall. He questioned how the city can equate the absorption of rain on row crops as being the same as on single family developments.

Rick Konopka, 2769 NE 95th Avenue said that Ankeny has a very good record of managing growth with infrastructure leading development however, in this case it appears to be different. Traffic and drainage are problems. He asked that consideration be given to the timing and make sure that infrastructure supports development.

Lemar Koethe, 3514 142nd Street, Urbandale stated that he owns 200 acres to the north of the proposed development and understands there are a lot of concerns but he has a lot of confidence in Ankeny and believes that Mr.Grubb is a man of his word. Whenever development is planned, there are always issues that need to be worked out. Development is what has made Ankeny a community that attracts new residents.

Beryl Coulson said he believes that the traffic and drainage issues need to be worked out first.

Sue Kerr, 2841 NE 95th Street said she has lived at this property for 20 years and her sump pump runs continually because the water table is so high. She added that the drainage problems are real and does not believe this project makes sense in this neighborhood.

David Pyburn, 9467 NE 26th Court, said that his sump pump runs every 15 minutes. He said the issues of drainage that have not been addressed, nor have the traffic problems, lack of school bus routes and promises made with the 1st phase that have not been kept. He said he does not have faith that once the plan is approved, the developer will fix the problems.

Motion by T.Flack to approve close the public hearing and receive and file documents. Second by P.Mollenhauer. All voted aye. Motion carried 7 – 0.

BUSINESS ITEMS

Item #3. Deer Creek Estates LLC request to rezone property from R-1 (One-Family Residence district) to R-2 (One and Two-Family Residence District) restricted to single family units.

Staff Report: J.Gould presented an aerial map and reported that Deer Creek Estates LLC requested the rezoning of 28 acres from R-1, single family to R-2 restricted to single family development. The property is located on the southeast corner of NE 18th Street and NE Four Mile Drive. The land use plan identified the area as medium density, mixed use and park, the density will be lower than what was approved with the plan. There were no questions or issues raised during the public hearing, staff verified that the zoning would be restricted to single family development only. Staff recommends approval of the rezoning from R-1 to R-2 restricted to single family.

Motion by D.Fliger to recommend City Council approval of the Deer Creek Estates LLC request to rezone property from R-1 (One-Family Residence district) to R-2 (One and Two-Family Residence District) restricted to single family units. Second by L.Voigt. All voted aye. Motion carried 7 – 0.

REPORTS

City Council Meeting

L.Voigt reported on his attendance at the February 2nd City Council meeting and advised the Commission that P.Mollenhauer was reappointed but D.Godwin was not reappointed as the Council is seeking gender balance.

T.Ripper commented that he learned a lot from having Dean Godwin on the Commission, he appreciated his thoughtfulness and believes he made the Commission better during his tenure. He feels they have lost a good commissioner. D.Fliger also thanked Dean for his service, noting that, as a developer, he had a great background for the Commission.

Director's Report

E.Jensen presented the tentative agenda items for the February 17, 2015 and the January Building Permits Report.

Commissioner's Reports

L.Voigt asked staff to address in the Deer Creek PUD staff report drainage, retention, realignment of NE 29th Street, plans for E 1st Street and the interstate and if there are any plans for a future school.

L.West asked if the city would need to work in conjunction with the county on E 1st Street and Frisk.

E.Jensen agreed that they would.

P.Mollenhauer asked if most of Ankeny has a high water table causing sump pumps to run continuously. E.Jensen said the soil types contribute to that. She commented that there are a number of detention ponds throughout Ankeny and questioned how many are the city's responsibility.

E.Jensen said he will provide the Commission with that information, the move is to private ownership for long-term maintenance.

T.Flack asked staff to provide examples of large developments that have occurred along a 2-lane highway in Ankeny.

E.Jensen commented that staff would also address the concerns regarding NE 29th Street southern realignment stating that when that property is acquired for development, the developer would build the street.

After reviewing the population projections in the 2010 Comprehensive Plan, T.Ripper asked it is time for an update. E.Jensen responded that an update is planned to begin the end of this year.

D.Fliger said that the Deer Creek PUD discussion was the same drainage and transportation discussion the Commission had 10 years ago when the annexation and growth to the north versus growth to the east was considered. He said he will want to know the developer will control the architecture in the PUD.

MISCELLANEOUS ITEMS

P.Mollenhauer will attend the February 17, 2015 City Council meeting.

Election of Chair & Vice Chair

L.Voigt placed into nomination G.Hunter as Chair. Second by T.Flack. All voted aye. L.Voigt placed into nomination T.Flack to the position of Vice Chair. Second by D.Fliger. All voted aye.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 pm.

Submitted by Trish Kuhn, Secretary

Plan & Zoning Commission